

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

*

v.

*

Criminal No.: 19-233

RONNIE BIVENS

*

Defendant

*

* * * * *

DEFENDANT'S REQUEST FOR GOVERNMENTS
INTENT TO USE RULE 404(B) EVIDENCE

Defendant, Ronnie Bivens, through his attorney, Ivan Bates, Esq., and **Bates & Garcia, LLC**, pursuant to Fed. R. Crim. P. 12(b)(4), and Rules 104(a) and 404(b) of the Federal Rules of Evidence, and in order to allow the Defendant the opportunity to file appropriate motions in limine prior to trial, requests notice of the Government's intention to use any evidence that it contends would be admissible under Rule 404(b). In support thereof, Defendant states as follows:

1. Defendant is charged with conspiracy to distribute narcotics, in violation of 21 USC 846. Defendant expects that the Government will seek to offer specific prior bad acts allegedly committed by Defendant.
2. Discovery has been provided by the Government, but the Defendant anticipates the production of additional documents by the Government prior to the trial in this matter.
3. In light of the nature of the investigation conducted by the Government in the instant case, if the Government intends to introduce at the trial of this case information or evidence pertaining to antecedent or subsequent conduct of the Defendant (other "wrongs, crimes or acts") pursuant to Rule 404(b) of the Federal Rules of Evidence, the defense should be put on notice of the exact nature

of this evidence, the witness pertaining thereto, and any documents in support thereof in advance of trial. Such a procedure is necessary to enable the Defendant to file appropriate pretrial *motions in limine*, and to allow this Court to make a pretrial determination of the admissibility of any such evidence proffered by the Government.

4. In addition, the Defendant requests notice of the Government's intention to introduce into evidence pursuant to Rule 404(b) any evidence of other crimes, wrongs, or acts allegedly committed by any indicted or unindicted co-conspirator. Pretrial notice of the Government's intention in this regard is necessary to enable Defendant to consider the potential prejudice to his case as a result of the admission of such evidence at a joint trial, and to consider the propriety of requesting relief from prejudicial joinder.

WHEREFORE, Ronnie Bivens, respectfully requests notice of the Government's intention to use any evidence that it contends would be admissible under Rule 404(b).

Respectfully submitted,

/s/
IVAN J. BATES, ESQUIRE
Bates & Garcia, LLC
201 N. Charles Street, Suite 1900
Baltimore, Maryland 21201
410-814-4600
Attorney for the Defendant
Ronnie Bivens

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of April, 2021, a copy of the foregoing Defendant's Request for Government's Intention to Use Rule 404(b) Evidence at Trial was electronically mailed to all counsel in the above-captioned matter by CM/ECF filing.

/s/
IVAN J. BATES, ESQUIRE